

VANM243.1APC1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Gabant et al.)	Group Art Unit 1632
Appl. No.	:	10/031,021))
Filed	:	January 14, 2002))
For	:	NON-HUMAN GENETICALLY MODIFIED MAMMAL LACKING THE ALPHA-FETOPROTEIN))
Examiner	:	Unknown))

PETITION TO ACCEPT COLOR PHOTOGRAPHS AS PART OF A UTILITY PATENT
UNDER 37 CFR 1.84(b)(2)

United States Patent and Trademark Office
 PO Box 2327
 Arlington, VA 22202

Dear Sir:

Applicant hereby submits the formal drawings for the above-captioned application. Also submitted is this written petition to accept color photographs as part of the application in accordance with the requirements of 37 CFR 1.84(b)(2). As additionally required by 37 CFR 1.84 (a)(2), included with this petition are: (1) the fee of \$130 as set forth in 37 CFR 1.17(h); (2) color drawings in triplicate; and (3) an amendment to insert the required language as the first paragraph of the brief description of the drawings. Pursuant to MPEP 608.02, Applicant has not provided a black and white photocopy of the color drawings;

Applicant believes that color photographs are necessary as the only practical medium by which to disclose the subject matter sought to be patented in the accompanying utility patent application because these figures depict the results of various histological analyses. The color photographs most accurately disclose these

Appl. No. : 10/031,021
Filed : January 14, 2002

features. In particular, they show the minute (indicated by arrows) and localized staining of the embryonic tissues, the contrast in the adult tissues, and the histological analyses and topographical variations within ovaries from *afplacZ1/lacZ1* females. Because of the way these images were photographed, the necessary contrast provided by the colored photographs is the only practical medium to disclose the subject matter of the present invention.

For all of the above reasons, applicant respectfully requests that this petition be granted.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 3, 2002

By: Daniel Hart
Daniel Hart
Registration No. 40,637
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(619) 235-8550

O:\DOCS\MCM\MC-2380.DOC
062502